

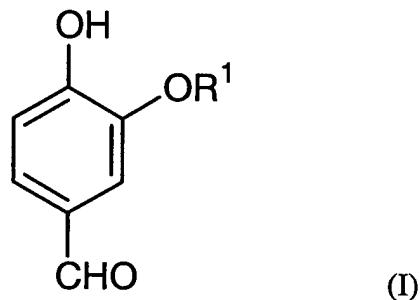
AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 10/006,137

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions and listings of claims in the application:

LISTING OF CLAIMS:

1. (Currently Amended): A warming composition for food and drink and for oral care preparations which comprises a cooling agent and a compound represented by formula (I):



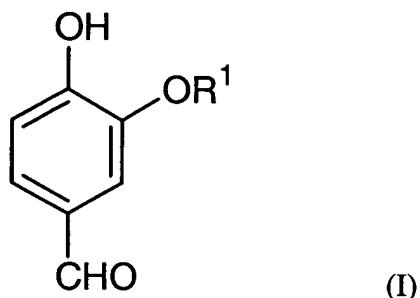
wherein R¹ represents a hydrogen atom, a methyl group or an ethyl group, and wherein the cooling agent is selected from the group consisting of menthol, isopulegol, 3-(*l*-menthoxy)-2-methylpropane-1,2-diol, p-menthane-2,3-diol, p-menthane-3,8-diol, 6-isopropyl-9-methyl-1,4-dioxaspiro[4,5]decane-2-methanol, menthyl succinate and its alkaline earth metal salts, trimethylcyclohexanol, Japanese mint (*Mentha arvensis*) oil, peppermint oil, menthone, menthone glycerol ketal, menthyl lactate, 3-(*l*-menthoxy)ethan-1-ol, 3-(*l*-menthoxy)propan-1-ol, 3-(*l*-menthoxy)butan-1-ol, *l*-menthyl-4-hydroxypentanoate, *l*-menthyl-3-hydroxybutyrate, and spearmint oil.

2. (Currently Amended): A warming composition for food and drink and for oral care preparations which comprises a cooling agent and a warming agent, wherein the cooling

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agent is selected from the group consisting of menthol, isopulegol, 3-(ℓ -menthoxy)-2-methylpropane-1,2-diol, p-menthane-2,3-diol, p-menthane-3,8-diol, 6-isopropyl-9-methyl-1,4-dioxaspiro[4,5]decane-2-methanol, menthyl succinate and its alkaline earth metal salts, trimethylcyclohexanol, Japanese mint (*Mentha arvensis*) oil, peppermint oil, menthone, menthone glycerol ketal, menthyl lactate, 3-(ℓ -menthoxy)ethan-1-ol, 3-(ℓ -menthoxy)propan-1-ol, 3-(ℓ -menthoxy)butan-1-ol, ℓ -menthyl-4-hydroxypentanoate, ℓ -menthyl-3-hydroxybutyrate, and spearmint oil.

3. (Original): A warming composition for food and drink and for oral care preparations which comprises a cooling agent, a compound represented by formula (I):

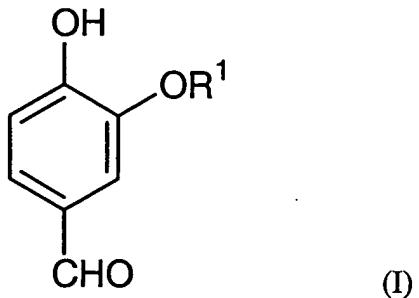


wherein R¹ represents a hydrogen atom, a methyl group or an ethyl group, and a warming agent.

4. (Original): A food, a beverage or an oral care preparation comprising the warming composition according to any one of claims 1 to 3.

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5. (Original): A food, a beverage or an oral care preparation according to claim 4,
wherein said cooling agent, said compound represented by formula (I)



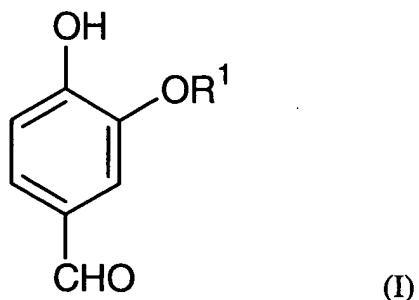
or said warming agent is present in an amount of 0.000001 to 10% by weight based on the weight of the total composition.

6. (Original): A flavor composition for food and drink or for oral care preparations which comprises the warming composition according to any one of claims 1 to 3.

7. (Original): A food, a beverage or an oral care preparation comprising the flavor composition for food and drink or for oral care preparations according to claim 6.

8. (Original): A food, a beverage or an oral care preparation according to claim 7,
wherein said cooling agent, said compound represented by formula (I)

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or said warming agent is present in an amount of 0.000001 to 10% by weight based on the weight of the total composition.

9. (New): A warming composition according to any of claims 1 to 1, wherein said cooling agent is 3-*l*-menthoxy)-2-methylpropane-1,2-diol.